

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
JANUARY 25TH, 2021**

Board of City Commissioners of the City of Yankton was called to order by Mayor Johnson.

Roll Call: Present: Commissioners Benson, Brunick, Carda, Maibaum, Miner, Moser, Schramm and Webber. City Attorney Den Herder and City Manager Leon were also present.

Quorum present.

Action 21-19

Moved by Commissioner Webber, seconded by Commissioner Schramm, to approve Minutes of regular meeting of January 11, 2021.

Roll Call: All members present voting “Aye;” voting “Nay:” None.

Motion adopted.

Action 21-20

Moved by Commissioner Carda, seconded by Commissioner Moser, that the Schedule of Bills be approved and warrants be issued.

A-Ox Welding Supply Co Inc. - Co2 Gas - \$31.75; Active Network LLC. - Software - \$6,423.28; Autozone - Antifreeze/Wipes - \$537.23; Avenu Insights & Analytics LLC. - Maint Prog Support - \$2,076.64; Avera Health Plans - Health Insurance - \$4,031.60; Bartlett & West Inc. - Gravity Sewer - \$64,972.07; Brock White - Supplies - \$6,389.12; Cedar Knox Public Power Dist - Elect - \$104.53; Central Square Tech LLC - Annual Subscription - \$504.00; City Of Yankton-Landfill - Landfill - \$130.30; Core & Main - Repairs - \$7,210.66; Credit Collection Service Inc. - Ut Collection - \$139.43; First Dakota National Bank - Agency Fee/Ira - \$1,000.00; Gerstner Oil Co - Fuel - \$17,142.84; Hawkins Inc. - Chemicals - \$6,946.85; HDR Engineering Inc. - Water Plant Const - \$36,576.99; Ingersoll Rand Company - Repairs - \$2,736.23; K-Scale LLC. - On-Site Service - \$345.00; Kuehler/Dave - Reimb Safety Glasses - \$60.00; Leistico/Tas - Reimbursement - \$250.00; Merkel Electric - Replace Lighting - \$8,848.55; Missouri Valley Shopper - Ad - \$135.00; Myers Tire Supply - Tire Patching Parts - \$716.97; Northwestern Energy - Elect - \$28,092.41; Observer - Ad - \$48.00; Portable Computer Systems - Annual Maintenance - \$2,279.00; Press Dakota Mstar Solutions - Festival Of Lights - \$1,687.95; Raab/Tracy - Membership Refund - \$231.13; Stockwell Engineers Inc. - Flood Consulting - \$83.25; Truck Trailer Sales Inc. - Dot Inspection - \$323.06

Roll Call: All members present voting “Aye;” voting “Nay:” None.

Motion adopted

City Manager Leon submitted a written report giving an update on community projects and items of interest.

There were no public appearances at that time.

Action 21-21

Moved by Commissioner Benson, seconded by Commissioner Brunick, to approve the applications for a Transient Merchant License and a Special Events Dance License for August 20th – 22nd, 2021 by the Riverboat Days Committee. (Memorandum 21-17).

Roll Call: All members present voting “Aye;” voting “Nay:” None.
Motion adopted.

Action 21-22

This was the time and place for the public hearing of the application for a New Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2020, to June 30, 2021, from B-Rad, LLC d/b/a Bro Burger Bar (Lauren Soukup, Owner), 304 W. 3rd Street, Yankton, S.D. (Memorandum 21-10) No one was present to speak for or against the application.

Moved by Commissioner Schramm, seconded by Commissioner Benson, to approve the license.

Roll Call: All members present voting “Aye;” voting “Nay:” None.
Motion adopted.

At 7:20 p.m., Mayor Johnson opened the public hearing of the SRF Application for the Waste Water Plant Project and proposed Resolution 21-05. Kyle Goodmanson, Director of Environmental Services, gave a description and power point presentation of the proposed project. No one appeared in person or had comments on-line about the project.

Action 21-23

Moved by Commissioner Webber, seconded by Commissioner Carda, to approve Resolution 21-05. (Memorandum 21-05)

RESOLUTION 21-05

RESOLUTION AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE, AUTHORIZING THE EXECUTION AND SUBMITTAL OF THE APPLICATION, AND DESIGNATING AN AUTHORIZED REPRESENTATIVE TO CERTIFY AND SIGN PAYMENT REQUESTS.

WHEREAS, the City of Yankton (the “City”) has determined it is necessary to proceed with improvements to its wastewater system, including but not limited to improvements associated with its sewer treatment plant (the “Project”); and

WHEREAS, the City has determined that financial assistance will be necessary to undertake the Project and an application for financial assistance to the South Dakota Board of Water and Natural Resources (the “Board”) will be prepared; and

WHEREAS, it is necessary to designate an authorized representative to execute and submit the Application on behalf of the City and to certify and sign payment requests in the event financial assistance is awarded for the Project,

NOW THEREFORE BE IT RESOLVED by the City as follows:

1. The City hereby approves the submission of an Application for financial assistance in an amount not to exceed \$3,500,000 at an interest rate of 2.0% and term of 20 years to the South Dakota Board of Water and Natural Resources for the Project.

2. The City pledges to repay the loan by using wastewater system revenues.

3. The City Manager is hereby authorized to execute the Application and submit it to the South Dakota Board of Water and Natural Resources, and to execute and deliver such other documents and perform all acts necessary to effectuate the Application for financial assistance.

4. The City Manager is hereby designated as the authorized representative of the City to do all things on its behalf to certify and sign payment requests in the event financial assistance is awarded for the Project.

Adopted at Yankton, South Dakota, this 25th day of January, 2021.

Roll Call: All members present voting “Aye;” voting “Nay:” None.
Motion adopted.

Mayor Johnson closed the public hearing portion of this agenda item at 7:30 p.m.

Action 21-24

This was the time and place for the public hearing of the application for a Special Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 3 days, August 20-22, 2021 from Yankton Area Riverboat Days, Inc. (Milissa Wuebben, Treasurer), Riverside Park, Yankton, S.D. (Memorandum 21-14) No one was present to speak for or against the application.

Moved by Commissioner Moser, seconded by Commissioner Benson, to approve the license.

Roll Call: All members present voting “Aye;” voting “Nay:” None.
Motion adopted.

Action 21-25

This was the time and place for the public hearing of the application for a Special Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 3 days, August 20-22, 2021 from Yankton Area Riverboat Days, Inc. (Milissa Wuebben, Treasurer), City Hall Auditorium, Yankton, S.D. (Memorandum 21-15) No one was present to speak for or against the application.

Moved by Commissioner Benson, seconded by Commissioner Brunick, to approve the license.

Roll Call: All members present voting “Aye;” voting “Nay:” None.
Motion adopted.

Action 21-26

This was the time and place for the public hearing of the application for a Special Events RETAIL (on-sale) Liquor License for January 30, 2021 from Flusswerks, LLC, (Paul Lowrie, Man. Member) d/b/a The Landing, Big River Burrito Co., 100 Douglas, Suite 101, Yankton, S.D. (Memorandum 21-16) No one was present to speak for or against the application.

Moved by Commissioner Brunick, seconded by Commissioner Miner, to approve the license.

Roll Call: All members present voting “Aye;” voting “Nay:” None.
Motion adopted.

Action 21-27

Moved by Commissioner Moser, seconded by Commissioner Benson, to approve Resolution 20-87. (Memorandum 21-19)

RESOLUTION 20-87
A RESOLUTION APPROVING THE 2020 SPECIAL ASSESSMENT ROLL FOR
NUISANCE ABATEMENT

BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota:

SECTION 1. That the special assessment roll for the assessment of the property assessable for nuisance abatement in the City of Yankton, South Dakota, is hereby approved and the assessments as set out in said special assessment roll approved this date are hereby levied against such property upon filing of said special assessment roll in the office of the City Finance Officer.

SECTION 2. The assessments set forth in the assessment role will become due and payable in one (1) annual installment together with interest at a rate prescribed by the Board of City Commissioners, by resolution, per annum, in accordance with SDCL 9-43.

The above assessments may be paid without interest to the City Finance Officer on or before February 26, 2021, thereafter, the entire assessment may be paid with interest from the date of filing with the City Finance Officer at the rate established by resolution of the Board of City Commissioners.

Roll Call: All members present voting “Aye;” voting “Nay:” None.
Motion adopted.

Action 21-28

Moved by Commissioner Benson, seconded by Commissioner Schramm, to approve a Sidewalk Cafe Permit to 100 East 3rd Street doing business as Boomers Lounge. (Memorandum 21-13)

Roll Call: All members present voting “Aye;” voting “Nay:” None.
Motion adopted.

Action 21-29

Moved by Commissioner Carda, seconded by Commissioner Brunick, to approve Resolution 21-06. (Memorandum 21-20)

RESOLUTION 21-06

WHEREAS, SDCL 6-13-1 requires a municipality owning personal property which is no longer necessary, useable or suitable for municipal purposes shall, by resolution, declare it surplus and may, by resolution, order for sale, destruction or other disposal of said personal property.

NOW, THEREFORE, BE IT RESOLVED that the following personal property be declared no longer necessary or suitable for municipal purposes and said property shall be disposed of in accordance with SDCL 6-13-1, et sequential:

PROPERTY TO BE SURPLUS

2006 New Holland W130TC Loader VIN. #N3F001434

Roll Call: All members present voting “Aye;” voting “Nay:” None.
Motion adopted.

Commissioner Moser introduced and Mayor Johnson read the title of Ordinance No. 1045, AN

ORDINANCE SUPPLEMENTING THE 2021 ANNUAL APPROPRIATION ORDINANCE #1038, and set the date of the second reading and public hearing as February 8th, 2021.

Action 21-30

Moved by Commissioner Schramm, seconded by Commissioner Benson, to approve the Consulting Agreement with Bill Effting and authorize the City Manager to execute the Agreement.
(Memorandum 21-21)

Roll Call: All members present voting “Aye;” voting “Nay:” None.

Motion adopted.

Action 21-31

Moved by Commissioner Benson, seconded by Commissioner Webber, to adjourn at 7:50 p.m.

Roll Call: All members present voting “Aye;” voting “Nay:” None.

Motion adopted.

Nathan V Johnson
Mayor

ATTEST:

Al Viereck
Finance Officer